



#3

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As a below named inventor, I declare:

I believe I am the original, first and sole inventor, or an original, first and joint inventor if more than one name is given below, of the subject matter which is claimed and for which a patent is sought in the invention described in:

- ☐ the attached application, or  
☒ application No. 09/882,290 filed on June 14, 2001,  
☐ as amended on \_\_\_\_\_;

I have reviewed and understand the contents of the application identified above, including the claims, as amended by any amendment specifically referred to above;

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of any prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Masahiro Ishida

Citizen of: Japan

Signature 石田 雅裕

Date September 10, 2001

Inventor two: Takahiro Yamaguchi

Citizen of: Japan

Signature 山口 隆弘

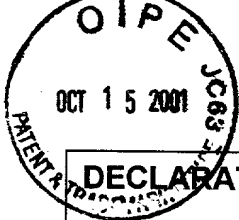
Date September 10, 2001

Inventor three: Mani Soma

Citizen of: United States of America

Signature \_\_\_\_\_

Date \_\_\_\_\_



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All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Masahiro Ishida

Signature \_\_\_\_\_

Citizen of: Japan

Date \_\_\_\_\_

Inventor two: Takahiro Yamaguchi

Signature \_\_\_\_\_

Citizen of: Japan

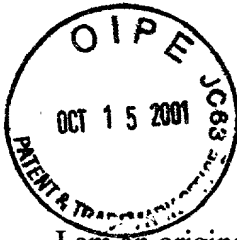
Date \_\_\_\_\_

Inventor three: Mani Soma

Signature Mani Soma

Citizen of: United States of America

Date August 28, 2001



## POWER OF ATTORNEY

I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "Apparatus for and Method of Measuring Jitter" by Masahiro Ishida, Takahiro Yamaguchi and Mani Soma, described in United States application Serial Number 09/882,290 filed June 14, 2001

All prior-filed powers of attorney, if any, in connection with this application are hereby revoked and the following are appointed as principal attorneys and agents with full power of substitution and revocation, to appoint other principal and associate attorneys, to prosecute this application, to transact all business in the United States Patent and Trademark Office connected therewith and to receive the original Letters Patent:

Thomas A. Gallagher (Reg. No. 24,815)  
David N. Lathrop (Reg. No. 34,655)

Please send all correspondence to:

GALLAGHER & LATHROP  
601 California Street  
Suite 1111  
San Francisco, CA 94108-2805



(Signature)

August 28, 2001

(Date)

MANI SOMA

(Printed Name)

Consultant

(Title)



10299-USA-1  
1750349

## POWER OF ATTORNEY

I am an official empowered to act on behalf of ADVANTEST CORPORATION, a corporation of Japan, having a place of business at 32-1, Asahicho 1-chome, Nerima-ku, Tokyo, Japan ("COMPANY").

COMPANY holds all rights, title and interest in the subject matter which is claimed and for which a patent is sought on the invention entitled "Apparatus for and Method of Measuring Jitter" by Masahiro Ishida, Takahiro Yamaguchi and Mani Soma, described in United States application Serial Number 09/882,290 filed June 14, 2001, by virtue of assignment from the inventor(s) identified above, recorded in the United States Patent and Trademark Office at Reel \_\_\_, Frame \_\_\_, or for which a copy thereof is attached.


All prior-filed powers of attorney, if any, in connection with this application are hereby revoked and the following are appointed as principal attorneys and agents with full power of substitution and revocation, to appoint other principal and associate attorneys, to prosecute this application, to transact all business in the United States Patent and Trademark Office connected therewith and to receive the original Letters Patent:

Thomas A. Gallagher (Reg. No. 24,815)  
David N. Lathrop (Reg. No. 34,655)

Please send all correspondence to:

GALLAGHER & LATHROP  
601 California Street  
Suite 1111  
San Francisco, CA 94108-2805

For Advantest Corporation:

  
(Signature)

September 10, 2001

(Date)

Hiroshige OHNO

(Printed Name)

Manager of Intellectual  
Property Dept.

(Title)

## ASSIGNMENT

I am an inventor of a new invention entitled "Apparatus for and Method of Measuring Jitter" by Masahiro Ishida, Takahiro Yamaguchi and Mani Soma, for which I have made application for Patent of the United States, such invention being described in and identified by United States application Serial Number 09/882,290 filed June 14, 2001.

ADVANTEST CORPORATION, a corporation of Japan, having a place of business at 32-1, Asahicho 1-chome, Nerima-ku, Tokyo, Japan, hereinafter referred to as ASSIGNEE, is desirous of acquiring my entire right, title and interest in and to said application and said invention, in and to any and all improvements relating to said invention, and in and to each and every Patent thereon, when granted in the United States.

For good and valuable consideration, the receipt of which is acknowledged:

1. I sell, assign, transfer and convey unto ASSIGNEE, my entire right, title and interest:
  - (a) in and to said invention, improvements, application, and each and every additional application filed in the United States of America, which additional application is a division, substitution, continuation or continuation-in-part of or is based on said application or which additional application relates to said invention and improvements;
  - (b) all priority rights associated with the filing of each and every such application, and
  - (c) in and to each and every Patent on said invention and improvements that may be granted, including each and every Patent that may be granted on any of the applications referred to in sub-section (a), and in and to each and every reissue, re-examination or extension of each and every such Patent.
2. I warrant, covenant and represent the fact that I have not heretofore granted any license, right or privilege in the United States of America with respect to said invention or said application to any other, or in any other way encumbered the same, and that I have the full right to sell, assign, transfer and convey, free of all licenses and encumbrances, the entire interest hereby assigned.
3. I covenant that, at the request and expense of ASSIGNEE, I will promptly execute all papers necessary or desirable to perfect ownership of said invention, applications and said each and every Patent to ASSIGNEE, and execute all oaths, declarations and other papers necessary or desirable for prosecuting said applications, for use in interference proceedings involving said invention, applications and each and every Patent, for use in opposition proceedings involving said invention, applications and each and every Patent, for refiling said applications, for filing of divisional, substitution, continuation or continuation-in-part applications deemed necessary or desirable by ASSIGNEE, for reissuance or re-examination of said each and every Patent. I further covenant and agree that, at the expense and request of ASSIGNEE, I will promptly assist ASSIGNEE in

interference and opposition proceedings involving said invention, applications and each and every Patent, and in litigation involving said invention, applications and each and every Patent, and will assist in the ascertainment of facts and the production of evidence relating to said invention, applications and each and every Patent.

4. The terms, covenants and provisions of this assignment shall inure to the benefit of ASSIGNEE, its successors, assigns and other legal representatives, and shall be binding upon me, my heirs, legal representatives and assigns.

Masahiro Ishida, a resident of Tokyo, Japan

石田 雅裕  
Signature

September 10, 2001  
Date

Takahiro Yamaguchi, a resident of Tokyo, Japan

山口 隆弘  
Signature

September 10, 2001  
Date